

HOUSE FLOOR SUBSTITUTE FOR
HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 200

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

AN ACT

RELATING TO MOBILE HOMES; PROVIDING THAT MOBILE HOME PARKS
CANNOT ASSESS A UTILITY SERVICES ADMINISTRATION FEE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 47-10-21 NMSA 1978 (being Laws 1993,
Chapter 147, Section 7) is amended to read:

"47-10-21. PROVISION OF UTILITY SERVICES--ADMINISTRATIVE
FEE--DISCLOSURE REQUIREMENT.--

~~[A. A landlord may charge residents a reasonable
fee to offset the cost of administration incurred by a landlord
when he provides utility services to residents.~~

B.] The amount of the administrative fee for utility
services shall be fully and accurately disclosed in writing in
a rental agreement, pursuant to the provisions of
Paragraph ~~[(6)]~~ (7) of Subsection A of Section 47-10-14 NMSA

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1 1978.

2 ~~[C. A landlord shall fully and accurately disclose~~
3 ~~in writing to a resident any increase in the administrative~~
4 ~~fee. The disclosure shall be provided to a resident at least~~
5 ~~sixty days prior to implementation of an increase in the~~
6 ~~administrative fee.]"~~

7 Section 2. Section 47-10-22 NMSA 1978 (being Laws 1993,
8 Chapter 147, Section 8) is amended to read:

9 "47-10-22. ITEMIZED BILL--UTILITY SERVICES--
10 ADMINISTRATIVE FEES.--

11 A. When a landlord purchases utility services for
12 residents, ~~[he]~~ the landlord shall provide residents with a
13 monthly itemized bill that includes:

14 ~~[A.]~~ (1) a separate listing of charges for
15 each utility service; and

16 ~~[B.]~~ (2) the amount consumed and the cost per
17 unit for each utility service; provided that when individual
18 cost per unit figures for utility services are not available,
19 the landlord shall provide residents with the total cost of
20 utility services and the formula used to determine the
21 individual charges for utility services ~~[and~~

22 ~~C. if applicable, the amount of the administrative~~
23 ~~fee for providing utility services to residents].~~

24 B. A landlord may charge residents a fee to offset
25 the cost incurred by the landlord when the landlord provides

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1 utility services to residents. The fee for a mobile home park
 2 with four hundred or more spaces shall not exceed fifty percent
 3 of the residential monthly minimum customer charge set by the
 4 utility that supplies services to the landlord. The fee for a
 5 mobile home park with less than four hundred spaces shall not
 6 exceed seventy-five percent of the residential monthly minimum
 7 customer charge set by the utility that supplies services to
 8 the landlord."
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10 Section 3. EFFECTIVE DATE.--The effective date of the
 11 provisions of this act is September 1, 2007.

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